

## **Town of Dudley**

Board of Selectmen  
Highway Commissioners  
Cemetery Commissioners

**November 14, 2016 @ 6:30pm**  
**Dudley Municipal Complex**  
**71 West Main Street, Dudley, MA 01571**  
**Veterans Memorial Hall – Room 321A**  
**Approved 11/28/2016**

Some matters have been taken out of agenda order but were typed up in agenda order for ease of locating information when necessary.

### **1. Call to Order, Pledge of Allegiance**

Jonathan Ruda opened the meeting at 6:33pm. In attendance were Peter Fox, John Marsi and Paul Joseph. Also in attendance were Greg Balukonis, Town Administrator and Michelle Jervis, Administrative Secretary. Steven Sullivan was absent.

### **2. Acceptance of Minutes:**

**John Marsi motioned to approve the minutes of October 24, 2016. Peter Fox seconded.**  
**Unanimous 4-0.**

### **3. Appointments/Resignations:**

Records Access Officers – **Paul Joseph motioned to appoint in accordance with the new pending public records law beginning on 1/1/17 the following as Records Access Officers: Greg Balukonis, Town Administrator, Ora Finn, Town Clerk and Steven Wojnar, Chief of Police. Peter Fox seconded. Unanimous 4-0.**

### **4. Public Comments/Citizens Comments:**

### **5. Public Hearings:**

- a. Pole Petition – National Grid # 21128083 – Jonathan Ruda opened the Public Hearing at 6:36pm. A representative from National Grid came before the Board. He stated that the poles will extend the three phase line and will be extending into the driveway of Rampco Construction Company. They need more power for their road crushing equipment. No abutters were in attendance. The Public Hearing closed at 6:39pm. **John Marsi motioned to approve the petition from National Grid to locate poles, wires and fixtures, including the necessary sustaining and protecting fixtures, along and across the following public ways: Oxford Ave. – National Grid to install 2 SO poles beginning at a point approximately 165' feet southwest of the centerline of the intersection of Oxford Ave. and Cemetery Road and continuing approximately 108' and 108' feet in a southwest direction. Beginning at existing pole 65, approximately 165 feet southwest of the centerline of the intersection of Oxford Ave and Cemetery Rd. National Grid to install Pole 64 approximately 108 feet southwest of Pole 65, Pole 63 approximately 216 feet from Pole 65 in the same direction alongside Oxford Ave to provide new three phase service to Rampco Construction at 123 Oxford Ave., Dudley, MA. Also for permission to lay and maintain underground laterals, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as each of said petitioners may desire for distributing purposes. Peter Fox seconded. Unanimous 4-0.**
- b. **Nieski, Inc. d/b/a Martys of Dudley, 119 West Main Street, Dudley, MA – Change of Manager –**  
The Public Hearing opened at 6:42pm Karen Landry came before the Board. She stated that she worked,

on and off, at Martys since 1992. She came back into the area and Marty Nieski asked if she would like to be the manager since the current manager has left to pursue a career as a wine distributor. The Public Hearing closed at 6:44pm. **Peter Fox motioned to approve Karen Landry as the new manager and approve the request for a Change of Manager for Nieski, Inc. d/b/a Martys of Dudley, 119 West Main Street, Dudley, MA. John Marsi seconded. Unanimous 4-0.**

c. **Tax Classification Hearing** – Lisa Berg, Principal Assessor – The Public Hearing opened at 6:45pm. Ms. Berg came before the Board. Mr. Balukonis read the legal notice regarding the Tax Classification Hearing that was published by the Webster Times on 11/4/16. Ms. Berg stated that there have been no changes since last year. The Assessors recommended a single tax rate instead of a split tax rate. There are 115 towns in the state that have a split tax rate and Webster is one of them. Ms. Berg stated that the percentage of commercial, industrial and personal property (CIP) as compared to residential = 92% and CIP = 8%. Regarding the assessed value on CIP property, Dudley has only 3 properties assessed for over 4 million dollars; 3 over 2 million and 17 over 1 million. Option 1 would give the town a residential tax rate of \$11.95/\$1000 with the average value of a home at \$231,222 and the average tax bill \$2,763. The CIP tax rate would also be \$11.95/\$1000 with the average value of a CIP at \$221,073 and the average tax bill \$2,642. In the future she will add the solar farms on the list even if we have PILOT programs. The new fire station will be on the books in 2017. John Marsi wanted to let everyone know that Dudley is still one of the lowest tax rates in Massachusetts and is still a full service town. The Public Hearing closed at 7:04pm. Jonathan Ruda stated that Leicester, Southbridge, Webster, Charlton, Oxford, Douglas and Sturbridge all have higher tax rates than Dudley. After discussion **Paul Joseph motioned to maintain a single tax rate for all properties. Peter Fox seconded. Unanimous 4-0.**

## **6. Licensing and Permits:**

**Nichols College – Two (2) One Day Wine and Malt Licenses** – Lynn Looby, Assistant to the President came before the Board. All events have been reviewed by the Police Chief. After discussion **John Marsi motioned to approve a One Day Wine and Malt License for Friday, December 2, 2016 from 4:30pm to 8:30pm in the Bison Den, Daniels Auditorium for Santa Con and a One Day Wine and Malt License for Friday, December 9, 2016 from 5:30pm to 9:00pm in the Daniels Auditorium Foyer for Guidance Counselor Holiday Night Out. Peter Fox seconded. Unanimous 4-0.**

## **7. Public Business:**

a. **Tentative Board of Selectmen meeting schedule from January – June 2017.**

**John Marsi motioned to approve the following dates for Board of Selectmen meetings from January – June 2017: January 9, 2017; January 23, 2017; February 6, 2017; February 27, 2017; March 13, 2017; March 27, 2017; April 10, 2017; April 24, 2017; May 8, 2017; May 22, 2017 (prior to TM); June 5, 2017 and June 19, 2017. Peter Fox seconded. Unanimous 4-0.**

b. **Parking Waiver – First Congregational Church of Dudley – John Marsi motioned to approve the request for a parking waiver on both sides of Center Road on Saturday, December 3, 2016 from 10:00am to 4:00pm for the Annual Christmas Fair. Peter Fox seconded. Unanimous 4-0.**

c. **Tree Lighting Ceremony – Paul Joseph motioned to hold the Annual Tree Lighting Ceremony on Thursday, December 1, 2016 at 6pm. Peter Fox seconded. Unanimous 4-0.**

d. **Board of Health – Permission to use the Clarinda Wood Fund – Paul Joseph motioned approve the request from the Board of Health to use the Clarinda Wood Fund and to amend the amount of \$108.00 approved on June 20, 2016 for the April 2016 to the actual amount of \$354.00; to use the Fund to pay \$48.00 for September 2016; and \$596.50 for October 2016 for Health Services to Harrington Memorial Hospital. John Marsi seconded. Unanimous 4-0.**

## **8. Board of Selectmen Comments/Department Head Comments:**

Peter Fox thanked Ora Finn, Town Clerk, and her staff for their tireless work on election day. All went well. Paul Joseph thanked the Fire Chief and the Fire Station Building Committee for all their hard work regarding the proposed fire station project. The project passed and will start in 2017.

Fire Chief Kochanowski thanked the residents of the town for the fire station project support. Also two companies have donated money to purchase the IV pumps that are mandated by the State. Gentex and Henke Sass Wolf were the donors.

## **8. Town Administrator's Report:**

Mr. Balukonis stated that the Solitictor's bylaw that was passed at May town meeting was rejected by the Attorney General's office. Stated it was unconstitutional. All agreed to put the information on the website. Also regarding the new law on recreational marijuana, Mr. Balukonis stated that the town need to lay out a plan and a strategy for any future town meetings. Finally the Uninterrupted Power Source (UPS) bid has gone out and we are receiving information from potential companies for the project.

## **9. Adjournment/Executive Session:**

**Paul Joseph motioned to convene into Executive Session under M.G.L Chapter 30A §21 (3) – to discuss strategy with respect to collective bargaining or litigation if an open meeting may have a detrimental effect on the bargaining or litigating positon of the following: 1). Grievance hearing with the Dudley Police Association; 2) Islamic Society of Greater Worcester v. ZBA et al and not to reconvent into public session. Peter Fox seconded.**

**Roll Call Vote**

**Jonathan Ruda, Aye**

**Peter Fox, Aye**

**John Marsi, Aye**

**Peter Fox, Aye**

Respectfully submitted,  
Michelle Jervis, Administrative Secretary